

110TH CONGRESS
1ST SESSION

S. 1458

To amend the Food Security Act of 1985 to provide incentives for improved agricultural air quality.

IN THE SENATE OF THE UNITED STATES

MAY 23, 2007

Mrs. BOXER (for herself and Mrs. FEINSTEIN) introduced the following bill; which was read twice and referred to the Committee on Agriculture, Nutrition, and Forestry

A BILL

To amend the Food Security Act of 1985 to provide incentives for improved agricultural air quality.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Agricultural Air Qual-
5 ity Incentives Act of 2007”.

6 **SEC. 2. REDUCTION OF EMISSIONS OF AIR POLLUTANTS**
7 **AND PRECURSORS OF AIR POLLUTANTS.**

8 Chapter 4 of subtitle D of title XII of the Food Secu-
9 rity Act of 1985 (16 U.S.C. 3839aa et seq.) is amended
10 by adding at the end the following:

1 **“SEC. 1240J. AIR QUALITY IMPROVEMENT.**

2 “(a) AVAILABILITY OF COST-SHARE PAYMENTS AND
3 INCENTIVE PAYMENTS.—In carrying out this chapter, the
4 Secretary shall promote air quality by providing cost-share
5 payments and incentive payments to individual producers
6 to address air quality concerns associated with agriculture.

7 “(b) ELIGIBLE PRACTICES, COST-SHARE.—

8 “(1) REDUCTION OF EMISSIONS OF AIR POL-
9 LUTANTS AND PRECURSORS OF AIR POLLUTANTS.—
10 In addition to practices eligible for cost-share pay-
11 ments under this chapter, the Secretary shall pro-
12 vide cost-share payments to producers under this
13 section for mobile or stationary equipment (including
14 engines) used in an agricultural operation that
15 would reduce emissions of air pollutants and precur-
16 sors of air pollutants.

17 “(2) CONSIDERATIONS.—In evaluating applica-
18 tions for cost-share assistance for equipment de-
19 scribed in paragraph (1), the Secretary shall
20 prioritize assistance for equipment that—

21 “(A) is the most cost-effective in address-
22 ing air quality concerns; and

23 “(B) would assist producers in meeting
24 Federal, State, or local regulatory requirements
25 relating to air quality.

1 “(c) LOCATIONS.—To receive a payment for a project
 2 under this section, a producer shall carry out the project
 3 in a county—

4 “(1) that is in nonattainment under the Clean
 5 Air Act (42 U.S.C. 7401 et seq.) with respect to am-
 6 bient air quality standards for ozone, particulate
 7 matter, or both of those pollutants;

8 “(2) in which there is air quality degradation,
 9 recognized by a State or local agency, to which agri-
 10 cultural emissions significantly contribute; or

11 “(3) in which the Secretary determines that
 12 pesticide drift is a priority concern.

13 “(d) PRIORITY.—The Secretary shall give priority to
 14 projects that—

15 “(1) involve multiple producers implementing
 16 eligible conservation activities in a coordinated man-
 17 ner to promote air quality; or

18 “(2) are designed to encourage broad adoption
 19 of innovative approaches, including approaches in-
 20 volving the use of innovative technologies and inte-
 21 grated pest management, on the condition that the
 22 technologies do not have the unintended consequence
 23 of compromising other environmental goals.

24 “(e) FUNDING.—In addition to amounts made avail-
 25 able to carry out this section under section 1241(a)(6),

1 of the funds of the Commodity Credit Corporation, the
2 Secretary shall use to carry out this section—

3 “(1) \$25,000,000 for fiscal year 2008;

4 “(2) \$45,000,000 for fiscal year 2009;

5 “(3) \$60,000,000 for fiscal year 2010;

6 “(4) \$75,000,000 for fiscal year 2011; and

7 “(5) \$100,000,000 for fiscal year 2012.”.

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